

### **REMARKS**

In response to the restriction requirement mailed July 23, 2010, Applicants elect Group I, claims 43-46, 55, 59 and 60-63. Applicants elect “pharmaceutical substance” as the active substance from Claim 43. Applicants further elect doxorubicin as a specific species of pharmaceutical substance. No claim amendments are made herein. Claims 42-69 remain pending.

All these elections are made with traverse. Applicants respectfully assert that the invention discovered and claimed by the Applicants has been used successfully for many kinds of active substances. The attached first pages of six publications (Appendices A through F) demonstrate that this bacterial ghost system has been used for delivery of doxorubicin, pesticides, plasmid DNA, DNA vaccines, and nucleic acid-encoded antigens. The claims in groups I through VI share the special technical feature of the bacterial ghost. Accordingly, given the fact that any search would necessarily include this special technical feature of the bacterial ghost, Applicants request that groups I through VI should form a single group. The species recited in the claims are linked as the active substance to be combined with the bacterial ghost in the claimed composition. Reconsideration of the restriction requirement and species election is respectfully requested.

This paper is fully responsive to the restriction requirement mailed July 23, 2010 in view of the concurrently filed petition for four month extension of time and the required fee.

Respectfully submitted,

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